

REMARKS

This is intended as a full and complete response to the Office Action dated May 13, 2009, having a shortened statutory period for response set to expire on August 13, 2009. Applicants have attached a Petition for a Two Month Extension of Time, in accordance with 37 C.F.R. §1.136, extending the statutory period until October 13, 2009. Applicants respectfully request entry and consideration of the above noted amendments and the following remarks in response to the Office Action.

CLAIM REJECTIONS:

Claims 11-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Kokai 2002-275330 (*Isao*). Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Isao* in view of U.S. Patent No. 6,583,253 (*Fischer*). Claim 21 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Isao* in view of WO 00/50476 (*Demain*). Claim 22 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Isao* in view of U.S. Patent No. 4,308,086 (*Valyi*). Applicants have amended claim 11 to recite the features of claims 20-21, thereby obviating the rejections.

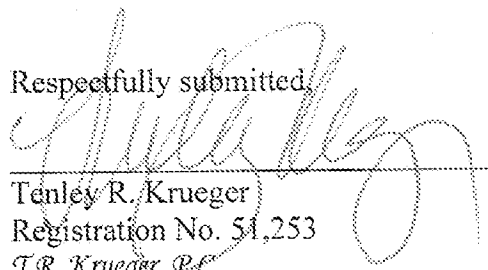
Applicants further submit that the references of record, either alone or in combination, do not teach, show or suggest the features of the amended claims. In particular, the inventive substituents on the cyclopentadienyl ring are selected to impart C1 or C2 symmetry to the compound, which produces an isotactic polypropylene having a comparatively low melting temperature while at the same time maintaining rigidity. Further, low melting temperature can be achieved without loss of mechanical properties and in consequence allows for the production of articles with reduced cycle time while maintaining rigidity in final articles. As is clear from the teachings of the art of record (*see*, background of *Demain*, for example), much effort has been extended to reducing melt temperature while improving article properties, without much success. However, embodiments of the invention unexpectedly provide for the production of injection stretch blow molded articles formed from polypropylene, such articles maintaining increased rigidity despite the reduced cycle time.

Where the prior art has not recognized a feature of the pending claims, no expectation would exist that utilization of such catalyst would successfully yield the

desired improvement. *See, In re Antonie*, 559 F.2d at 619, 195 U.S.P.Q. at 8 (stating two exceptions to a result effective variable's prima facie obviousness; 1. unexpectedly good results and 2. the art did not recognize that the parameter optimized was a result-effective variable). Applicants respectfully submit that the cited references do not recognize the claimed features.

In conclusion, Applicants submit that the references cited in the Office Action, neither alone nor in combination, teach, show, or suggest the claimed features. Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request the same.

Respectfully submitted,



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